

REMARKS

This is in response to the non-Final Office Action mailed June 16, 2009, in which claims 1-3, 6-10, 13-19, 22-26, 29-33, 36-40, 43, and 44 were rejected. Claims 5, 12, 21, 28, 35, and 42 were objected to as being dependent upon a rejected base claim, but were indicated as representing allowable subject matter. With this response, claims 1, 8, 17, 24, 31, and 38 are amended, and claims 1-3, 5-10, 12-19, 21-26, 28-33, 35-40, and 42-44 are presented for reconsideration and allowance in view of the arguments presented below.

All of the pending independent claims (1, 8, 17, 24, 31, and 38) were rejected under 35 U.S.C. § 103(a) as being unpatentable over Forber (U.S. Pat. No. 5, 733,294) in view of King (U.S. Pat. 3,844,388). Neither Forber nor King either singly or in combination teach or suggest a center post (or section) extending through a right occluding body (or first sheet or right sheet) such that a floating center engages the center post without being permanently connected to the center post when the occlusion device is in its radially expanded state, as required by each and every independent claim. For example, independent claim 1 requires “a right occluding body comprising a first plurality of arms attached to the center post at radially innermost ends, wherein the center post extends through the right occluding body” and “the floating center is engaged with the center post without being latched when the right occluding body is in its fully radially open state”.

The Office Action presents center band assembly 125 of Forber as meeting the element of the center post, but center band assembly 125 does not extend to the left end of the occlusion device, does not extend through the right occluding body, and is not engaged by a floating center as required. The Office Action provides King as meeting the element of the grasping knob, but it is not apparent how force applied to hub 84 could cause a non-existent floating center to move to the right away from a center post and cause puller arms to radially collapse the occluding body. Additionally, the Office Action provides a nonsensical reason for combining the teachings of Forber and King: “to replace the hollow core and t connection of Forber with a solid threaded core and to add on the rounded knob as taught by King in order to make the engagement with the delivery device more secure and round off the end of the occluding device to enhance the delivery of the occluding device”. As best understood, there is no hollow core and t connection in Forber, and clarification

regarding the reason to combine Forber and King is hereby requested. Lastly, the Office Action presents Marks (U.S. Pat. No. 5,108,420) as disclosing the element of an outer hoop. Marks, however, fails to teach or suggest the center post or grasping knob missing from Forber and King, which is required by each independent claim. Since none of the references of record teach or suggest the center post or grasping knob, claims 1, 8, 17, 24, 31, and 38, as well as dependent claims 2-3, 5-7, 9-10, 12-16, 18-19, 21-26, 28-30, 32-33, 35-37, 39-40 and 42-44, are allowable thereover.

In view of the foregoing, all of the pending claims (1-3, 5-10, 12-19, 21-26, 28-33, 35-40, and 42-44) are in a condition for allowance. Notice to that effect is respectfully requested. The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. 1.16 and 1.17 and credit any overpayments to Deposit Account No. 11-0982.

Respectfully submitted,

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